

EXHIBIT A

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

-against-

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

CAPITAL GROWTH COMPANY, *et als*,

Intervenors,

Adv. Pro. No. 14-01840 (SMB)

-against-

SUSANNE STONE MARSHALL, *et als*,

Defendants.

[PROPOSED] ORDER

Upon consideration of the motion in the above-captioned adversary proceeding by the Defendants Susanne Stone Marshall, Adele Fox, Marsha Peshkin, and Russell Oasis (the “Fox Plaintiffs”) for an Order: (i) authorizing discovery from Irving H. Picard, trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.* (“SIPA”) and the estate of Bernard L. Madoff, individually (“Madoff”), April Frielich, Barbara Picower, and Madoff pursuant to FRBP 2004 and authorizing the deposition of Madoff to preserve testimony pursuant to FRCP 27; (ii)

authorizing the deposition of Madoff pursuant to FRCP 30(a)(2)(B); and (iii) directing the sequence of discovery pursuant to FRCP 26 (the "Motion"); and the Notice of Motion; and upon all of the pleadings and prior proceedings in this and related actions; and upon hearing held on August ____, 2014:

IT IS HEREBY ORDERED:

1. The Motion is granted.
2. The Fox Plaintiffs are permitted to serve the Trustee with a request for production of documents and electronically stored information pursuant to FRCP 34.
3. The Trustee is directed to respond to the Fox Plaintiffs' request for production of documents and electronically stored information in accordance with FRCP 34.
4. The Fox Plaintiffs are authorized to issue a subpoena *duces tecum* for deposition and documents of April Friehlich pursuant to FRBP 2004.
5. The Fox Plaintiffs are authorized to issue a subpoena *duces tecum* for deposition and documents of Barbara Picower pursuant to FRBP 2004.
6. The Fox Plaintiffs are granted leave to conduct a video deposition Madoff to be noticed for a date approximately 45 days after the Fox Plaintiffs have obtained documents from the other witnesses.
7. This Court shall retain exclusive jurisdiction over the implementation and interpretation of this Order.

_____, 2014

HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE